

ORIGINAL



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

DATE: DEC 02 1999

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

John L. Hutchinson
Pennzoil-Quaker State Company-Etowah Terminal
1015 Barlow Drive
Charleston, WV 25311

**RE: FACILITY RESPONSE PLAN FIVE YEAR APPROVAL
REGIONAL ID # WV-FRP-005**

Dear Mr. Hutchinson:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA) has completed a full Facility Response Plan (FRP) review and site inspection and is therefore granting a five year approval.

Facility Response Plan requirements are set forth in the Oil Pollution Act of 1990, and are delineated in Title 40 of the Code of Federal Regulations §112.20 (40 CFR 112.20). Pursuant to 40 CFR §112.20 (c)(4), EPA is required to re-approve your Facility Response Plan within five (5) years from the date of this approval letter.

Your facility must continue to maintain the facility response plan during this five year approval period, as required by 40 CFR §112.20(d)(1) as follows:

The owner or operator of a facility for which a Facility Response Plan is required under this part shall revise and resubmit revised portions of the response plan within 60 days of each facility change that may materially affect the response to a worst case discharge, including:

- (i) A change in the facility's configuration that materially alters the information included in the response plan;
- (ii) A change in the type of oil handled, stored, or transferred that materially alters the required response resources;
- (iii) A material change in capabilities of the oil spill removal organization(s) that provide equipment and personnel to respond to discharges of oil described in paragraph (h)(5) of this section;

(iv) A material change in the facility's spill prevention and response equipment or emergency response procedures; and

(v) Any other changes that materially affect the implementation of the response plan.

Please submit any Facility Response Plan revisions to the following address:

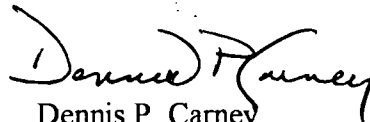
U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION III, FRP COORDINATOR
REMOVAL ENFORCEMENT AND OIL SECTION (3HS32)
1650 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19103-2029

Any additional information forwarded will be maintained in this office along with other documents pertinent to your plan.

Should you have any questions concerning this matter, please feel free to contact Linda Ziegler (215) 814-3277 or the Facility Response Plan Information Line at (215) 814-3452.

We urge you to continue to make spill prevention a priority in your organization. Doing so is consistent with the spirit of the statute and will minimize the possibility of any future enforcement action.

Sincerely,


Dennis P. Carney
Chief, Removal Branch

cc: Linda Ziegler (3HS32) ✓
Eduardo Rovira (3HS32)
USCG, MSO Huntington